

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CALEB BARNETT, et al., )  
                            )  
Plaintiffs,             )  
                            )  
vs.                       )                           **Case No. 3:23-cv-209-SPM**  
                            )  
KWAME RAOUL, et al., )  
                            )  
Defendants.            )

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DANE HARREL, et al.,   )  
                            )  
Plaintiffs,             )  
                            )  
vs.                       )                           **Case No. 3:23-cv-141-SPM**  
                            )  
KWAME RAOUL, et al., )  
                            )  
Defendants.            )

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JEREMY W. LANGLEY, et al., )  
                            )  
Plaintiffs,             )  
                            )  
vs.                       )                           **Case No. 3:23-cv-192-SPM**  
                            )  
BRENDAN KELLY, et al., )  
                            )  
Defendants.            )

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**MOTION TO SET PRETRIAL AND DISCOVERY CONFERENCE**

Comes now Plaintiffs Jeremy W. Langley, et al, by and through their attorneys, Thomas G. Maag, et al, and moves this Honorable Court to schedule a pre-trial and discovery conference. In support thereof, the Langley Plaintiff's state as follows:

1. As of this date there has been no discovery or pretrial conference and no scheduling order entered.
2. Pursuant to local rules, discovery generally cannot proceed until such an order has been entered.
3. That while much of this cases lift has been on interlocutory appeal with the recent denial by the Court of Appeals of a Petition for Rehearing, this case is set on one of two trajectories, either a Petition for a Writ of Certiorari, in the Supreme Court, or proceeding on the merits to ultimate resolution in the trial court.
4. While this particular case likely does have a significantly higher chance of having certiorari granted than an average case, the fact remains that certiorari is rarely granted in any case. Thus, it is respectfully suggested that this Court allow the parties to proceed, on the merits, with discovery, both written and through depositions. In the event that certiorari is granted in this case, the parties and the court could discuss the desirability of proceeding or staying discovery, pending a Supreme Court opinion.
5. In addition to Second Amendment and vagueness issues, it is anticipated that there is a reasonable likelihood that the PICA registration database may well violate 18 U.S.C. 926, in that the PICA registration database appears to use terms and makes reference in places directly to the NCIC, an online computer maintained by the Department of Justice, and thus raises an inference that same may well be operated through or hosted by the U.S.

DOJ, which, if true, would be illegal. On the other hand, it is possible that there is another explanation. Discovery would answer same.

WHEREFORE, Plaintiffs moves this Honorable Court to schedule a standard pretrial and discovery conference, and enter a standard pre-trial and discovery order, allowing relevant discovery to proceed in this case.

Dated: 12-20-2023

Respectfully Submitted,

Jeremy Langley, et al

By:s/Thomas G. Maag

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#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing was filed, using the CM/ECF system, which will send notification to all registered users:

Dated: 12-21-2023

S/Thomas G. Maag